

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RICHARD ROY SCOTT,

Plaintiff,

V.

WALTER WEINBERG *et al.*,

Defendants.

Case No. C06-5172FDB

**ORDER ON MOTIONS FILED
AFTER SEPTEMBER 14, 2006**

This civil rights action, filed pursuant to 42 U.S.C. § 1983, has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. § 636(b)(1)(B). A dispositive Report and Recommendation is pending (Dkt. # 75).

On September 14, 2006, this action was stayed (Dkt. # 62). At that time a number of motions filed by plaintiff were pending (Dkt. # 62). In the order staying the action the parties were directed to file no further pleadings unless directed to do so by the court (Dkt. # 62). The court ordered defendants to submit briefing regarding several of plaintiff's motions for injunctive relief. That briefing was filed, plaintiff replied, and on October 13, 2006, the court entered a Report and Recommendation to deny injunctive relief, dismiss the action, and declare plaintiff a vexatious litigant (Dkt. # 75).

Within one week plaintiff filed a motion to stay the action (Dkt. # 79). That motion was filed despite the fact that the case had already been stayed. Thereafter, plaintiff has filed a motion for summary

1 judgment (Dkt # 91) and a second motion to stay the action (Dkt. # 93).

2 This action remains stayed. If the matter survives the currently pending Report and
3 Recommendation, the court will order briefing on outstanding motions in an orderly sequence. The parties
4 are again directed to file no further motions or briefing. Motions filed while an action is stayed will not be
5 considered.

6 The clerk is directed to send a copy of this order to plaintiff and counsel for defendants and to
7 remove (Dkt # 79, 91, and 93 from the courts calendar).

8 DATED this 23 day of February, 2007.

9
10 /S/ J. Kelley Arnold
11 J. Kelley Arnold
12 United States Magistrate Judge
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28